

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

SELENA NICOLE GORDON,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:24-CV-754-WKW
)	[WO]
ELMORE COUNTY JAIL MEDICAL)	
STAFF, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

Plaintiff Selena Nicole Gordon, an inmate proceeding *pro se*, filed this action under 42 U.S.C. § 1983. (Doc. # 1.) On February 5, 2025, the court issued an Order directing Plaintiff to file a second amended complaint on or before February 19, 2025. (Doc. # 7.) The court specifically cautioned Plaintiff that her failure to comply with the court's Order would result in dismissal of this case. (*Id.* at 4.) Nevertheless, more than one month has passed since the February 19 deadline, and Plaintiff has not filed a second amended complaint or otherwise responded to the court's Order.

Because Plaintiff has failed to comply with the court's Order, this case will be dismissed without prejudice. *See Moon v. Newsome*, 863 F.2d 835, 837 (11th Cir. 1989) (noting that “dismissal upon disregard of an order, especially where the litigant has been forewarned, generally is not an abuse of discretion”) (citations

omitted). The authority of courts to impose sanctions for failure to prosecute or obey an order is longstanding and acknowledged by Rule 41(b) of the Federal Rules of Civil Procedure. *See Link v. Wabash R. Co.*, 370 U.S. 626, 629–30 (1962). This authority “is necessary in order to prevent undue delays in the disposition of pending cases and to avoid congestion in the calendars of the District Courts.” *Id.* It further empowers the courts “to manage their own affairs so as to achieve the orderly and expeditious disposition of cases.” *Id.* at 630–31. In this instance, where Plaintiff has failed to comply despite the court’s clear admonition, sanctions lesser than dismissal would not suffice. *See Mingo v. Sugar Cane Growers Co-Op of Fla.*, 864 F.2d 101, 102 (11th Cir. 1989).

Accordingly, it is ORDERED that this action is DISMISSED without prejudice.

Final Judgment will be entered separately.

DONE this 20th day of March, 2025.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE